



Senate

General Assembly

File No. 512

January Session, 2007

Substitute Senate Bill No. 1310

Senate, April 17, 2007

The Committee on Government Administration and Elections reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING TECHNICAL AND PROCEDURAL CHANGES TO CERTAIN ELECTION LAWS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-65 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 [(a) Within a week after the last session of the registrars of voters
4 under section 9-17 before an election, the registrars of voters in each
5 municipality shall submit in writing to the Secretary of the State a
6 statement setting forth the total number of electors on the active and
7 inactive registry list, the total number of electors enrolled on each
8 active and inactive party enrollment list and the total number of
9 unaffiliated electors on the active and inactive registry list in such
10 municipality. They shall omit therefrom electors on the last-completed
11 registry list or enrollment lists who have died, and they shall include
12 therein electors who have acquired electoral or enrollment privileges
13 since the last-completed registry list or enrollment lists were perfected.

14 In municipalities divided into two voting districts which elect
15 registrars of voters for each district, such information shall be so
16 submitted by the registrars of voters of the first district. Such statement
17 shall be deemed to be submitted within the time required if it is either
18 (1) postmarked by the United States Postal Service not earlier than
19 eight o'clock p.m. on the day of such last session of the registrars and
20 not later than midnight on the seventh day following such last session,
21 or (2) delivered by hand or by electronically transmitted facsimile to
22 the office of the Secretary of the State not earlier than the first day
23 following, and not later than four-thirty o'clock p.m. on the seventh
24 day following, such last session.]

25 [(b)] (a) After the last session of the registrars of voters under section
26 9-17 before each election, the registrars of voters in each municipality
27 shall submit in writing to the Secretary of the State a statement setting
28 forth the total number of names of new electors added to the registry
29 list, and the total number of names of former electors removed from
30 the registry list, in such municipality during the period between the
31 two most recent such last sessions. Such statement shall be submitted
32 annually at a time to be determined by the Secretary of the State. In
33 municipalities divided into two voting districts that elect registrars of
34 voters for each district, such statement shall be so submitted by the
35 registrars of voters of the first district.

36 (b) Not later than a week after the last session of the registrars of
37 voters before an election under section 9-17, the Secretary of the State
38 shall issue a report on the total number of electors on the active and
39 inactive registry list, the total number of electors enrolled on each
40 active and inactive party enrollment list and the total number of
41 unaffiliated electors on the active and inactive registry list in such
42 municipality, as reported by the registrars of voters on the state-wide
43 centralized voter registration system. The Secretary shall omit from
44 such report electors on the last-completed registry list or enrollment
45 lists who have died, but shall include electors who have acquired
46 electoral or enrollment privileges since the last-completed registry list
47 or enrollment lists were perfected.

48 Sec. 2. (NEW) (*Effective from passage*) (a) Notwithstanding any
49 provision of the general statutes, the Secretary of the State may appoint
50 election day polling place observers who shall be electors of the state.
51 The Secretary of the State shall establish suitable duties and a
52 curriculum, training program and certification process for such polling
53 place observers.

54 (b) Notwithstanding any provision of the general statutes, the
55 registrars of voters of each municipality may appoint additional
56 election officials on the day of, or on any day after, an election or
57 primary if, in the opinion of both registrars of voters, additional
58 election officials are needed because (1) an election official appointed
59 prior to the day of the election or primary is unable to serve as an
60 election official for any reason, (2) it is necessary to accommodate the
61 public convenience of the electors in any voting district, or (3) it is
62 necessary to improve the administration of the election or primary.
63 The registrars of voters shall file a written opinion with the municipal
64 clerk indicating the reasons for the appointment of any such additional
65 election officials.

66 (c) Not later than October 1, 2007, the Secretary of the State shall
67 establish a code of ethics for election day polling place observers,
68 registrars of voters and poll workers. Such code of ethics shall be
69 conspicuously posted in each polling place and in the office of the
70 registrars of voters.

71 (d) The Secretary of the State may establish a training program for
72 instruction on such code of ethics and a training program concerning
73 accessibility of polling places by persons with disabilities.

74 Sec. 3. Section 9-453n of the general statutes is repealed and the
75 following is substituted in lieu thereof (*Effective from passage*):

76 Any town clerk receiving any page of a nominating petition under
77 sections 9-453a to 9-453s, inclusive, or section 9-216 shall complete
78 such certifications as specified herein and shall file each such
79 nominating petition page with the Secretary of the State within two

80 weeks after it was so submitted to him. Any such town clerk who fails
81 to so file such petition pages with the Secretary of the State by the time
82 required shall pay a late filing fee of fifty dollars.

83 Sec. 4. Section 9-50b of the general statutes is repealed and the
84 following is substituted in lieu thereof (*Effective from passage*):

85 (a) As used in this section, "state-wide centralized voter registration
86 system" means a computerized system designed and maintained by
87 the Secretary of the State which includes: (1) Voter registration
88 information prescribed by the Secretary, (2) information contained in
89 applications for admission as electors described in section 9-20, (3)
90 information needed to compile registry lists and enrollment lists under
91 sections 9-35 and 9-54, (4) information required by section 9-50a, and
92 (5) other information for use in complying with the provisions of this
93 title.

94 (b) Not later than July 1, 2003, each registrar of voters shall transmit
95 to the office of the Secretary of the State all elector information
96 required by the office to complete the state-wide centralized voter
97 registration system. Each registrar shall transmit such information in a
98 format prescribed by the Secretary. Not later than September 1, 2003,
99 each registrar of voters shall participate in the state-wide centralized
100 voter registration system in the manner prescribed by the Secretary.

101 (c) The provisions of subsection (b) of this section shall not prohibit
102 the registrars of voters of any municipality from maintaining a registry
103 list for such municipality that is separate from the state-wide
104 centralized voter registration system, provided (1) such separate
105 registry list includes the same information as the registry list for such
106 municipality in the state-wide centralized voter registration system,
107 and (2) such registrars comply with the provisions of subsection (b) of
108 this section and the Help America Vote Act, P.L. 107-252, as amended
109 from time to time.

110 (d) After each election or primary, the registrars of voters shall
111 promptly update the state-wide centralized voter registration system

112 and indicate whether the eligible voters on the official registry list for
113 such election or primary voted and, if so, if they voted in person or by
114 absentee ballot.

115 Sec. 5. Section 9-452 of the general statutes is repealed and the
116 following is substituted in lieu thereof (*Effective from passage*):

117 All minor parties nominating candidates for any elective office shall
118 make such nominations and certify and file a list of such nominations,
119 as required by this section, not later than the [fifty-fifth] sixty-second
120 day prior to the day of the election at which such candidates are to be
121 voted for. A list of nominees in printed or typewritten form shall be
122 certified by the presiding officer of the committee, meeting or other
123 authority making such nomination and shall be filed by such presiding
124 officer with the Secretary of the State, in the case of state or district
125 office or the municipal office of state representative, state senator or
126 judge of probate, or with the clerk of the municipality, in the case of
127 municipal office, not later than the [fifty-fifth] sixty-second day prior to
128 the day of the election. The clerk of such municipality shall promptly
129 verify and correct the names on any such list filed with him, or the
130 names of nominees forwarded to him by the Secretary of the State, in
131 accordance with the registry list of such municipality and endorse the
132 same as having been so verified and corrected. For purposes of this
133 section, a list of nominations shall be deemed to be filed when it is
134 received by the secretary or clerk, as appropriate.

135 Sec. 6. Subsection (b) of section 9-453o of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective from*
137 *passage*):

138 (b) Except as otherwise provided in this subsection, the Secretary of
139 the State shall approve every nominating petition which contains
140 sufficient signatures counted and certified on approved pages by the
141 town clerks. In the case of a candidate who petitions under a reserved
142 party designation the secretary shall approve the petition only if it
143 meets the signature requirement and if a statement endorsing such
144 candidate is filed with the secretary by the party designation

145 committee not later than four o'clock p.m. on the [fifty-fifth] sixty-
146 second day before the election. In the case of a candidate who petitions
147 under a party designation which is the same as the name of a minor
148 party the secretary shall approve the petition only if it meets the
149 signature requirement and if a statement endorsing such candidate is
150 filed in the office of the secretary by the chairman or secretary of such
151 minor party not later than four o'clock p.m. on the [fifty-fifth] sixty-
152 second day before the election. No candidate shall be qualified to
153 appear on any ballot by nominating petition unless the candidate's
154 petition is approved by the secretary pursuant to this subsection.

155 Sec. 7. Subsection (a) of section 9-453i of the general statutes is
156 repealed and the following is substituted in lieu thereof (*Effective from*
157 *passage*):

158 (a) Each page of a nominating petition proposing a candidate for an
159 office to be filled at a regular election shall be submitted to the
160 appropriate town clerk or to the Secretary of the State not later than
161 four o'clock p.m. on the [ninetieth] ninety-eighth day preceding the
162 day of the regular election.

163 Sec. 8. Section 9-460 of the general statutes is repealed and the
164 following is substituted in lieu thereof (*Effective from passage*):

165 If any party has nominated a candidate for office, or, on and after
166 November 4, 1981, if a candidate has qualified to appear on any ballot
167 by nominating petition under a reserved party designation, in
168 accordance with the provisions of this chapter, and such nominee
169 thereafter, but prior to [ten] twenty-four days before the opening of the
170 polls on the day of the election for which such nomination has been
171 made, dies, withdraws such nominee's name or for any reason
172 becomes disqualified to hold the office for which such nominee has
173 been nominated (1) such party or, on and after November 4, 1981, the
174 party designation committee may make a nomination to fill such
175 vacancy or provide for the making of such nomination as its rules
176 prescribe, and (2) if another party that is qualified to nominate a
177 candidate for such office does not have a nominee for such office, such

178 party may also nominate a candidate for such office as its rules
179 prescribe. No withdrawal, and no nomination to replace a candidate
180 who has withdrawn, under this section shall be valid unless the
181 candidate who has withdrawn has filed a letter of withdrawal signed
182 by such candidate with the Secretary of the State in the case of a state
183 or district office or the office of state senator or state representative
184 from any district, or with the municipal clerk in the case of a municipal
185 office other than state senator or state representative. A copy of such
186 candidate's letter of withdrawal to the municipal clerk shall also be
187 filed with the Secretary of the State. No nomination to fill a vacancy
188 under this section shall be valid unless it is certified to the Secretary of
189 the State in the case of a state or district office or the office of state
190 senator or state representative from any district, or to the municipal
191 clerk in the case of a municipal office other than state senator or state
192 representative, by the organization or committee making such
193 nomination, at least [seven] twenty-one days before the opening of the
194 polls on the day of the election, except as otherwise provided by this
195 section. If a nominee dies within [ten] twenty-four days, but prior to
196 twenty-four hours before the opening of the polls on the day of the
197 election for which such nomination has been made, the vacancy may
198 be filled in the manner prescribed in this section by two o'clock p.m. of
199 the day before the election with the municipal clerk or the Secretary of
200 the State, as the case may be. If a nominee dies within twenty-four
201 hours before the opening of the polls and prior to the close of the polls
202 on the day of the election for which such nomination has been made,
203 such nominee shall not be replaced and the votes cast for such
204 nominee shall be canvassed and counted, and if such nominee receives
205 a plurality of the votes cast, a vacancy shall exist in the office for which
206 the nomination was made. The vacancy shall then be filled in a manner
207 prescribed by law. A copy of such certification to the municipal clerk
208 shall also be filed with the Secretary of the State. Such nomination to
209 fill a vacancy due to death or disqualification shall include a statement
210 setting forth the reason for such vacancy. If at the time such
211 nomination is certified to the Secretary of the State or to the municipal
212 clerk, as the case may be, the ballot labels have already been printed,

213 the Secretary of the State shall direct the municipal clerk in each
214 municipality affected to (A) have the ballot labels reprinted with the
215 nomination thus made included thereon, (B) cause printed stickers to
216 be affixed to the ballot labels so that the name of any candidate who
217 has died, withdrawn or been disqualified is deleted and the name of
218 any candidate chosen to fill such vacancy appears in the same position
219 as that in which the vacated candidacy appeared, or (C) cause blank
220 stickers to be so affixed if the vacancy is not filled.

221 Sec. 9. Section 3-85 of the general statutes is repealed and the
222 following is substituted in lieu thereof (*Effective from passage*):

223 After the adjournment of each General Assembly, the Secretary shall
224 cause all the engrossed bills which have become laws to be bound,
225 together with any engrossed amendments to the Constitution
226 proposed by the General Assembly at such session and continued to
227 the next assembly, in [one volume] suitable volumes, and shall also
228 record such bills by the title and number in the public records of the
229 state; and such volume shall be the official record of the acts passed by
230 the General Assembly at such session and of the amendments to the
231 Constitution proposed at such session by said General Assembly.

232 Sec. 10. Section 9-395 of the general statutes is repealed and the
233 following is substituted in lieu thereof (*Effective from passage*):

234 (a) Forthwith upon the certification provided in section 9-391, the
235 clerk of the municipality shall publish, in a newspaper having a
236 general circulation in such municipality, the fact of such certification
237 and that a list of the persons endorsed as candidates is on file in his
238 office and copies thereof are available for public distribution. If, with
239 respect to any office or position to be filled, the clerk of the
240 municipality has failed to receive the certification of the name of any
241 person as a party-endorsed candidate within the time limited in
242 section 9-391, such fact shall be published by the clerk of the
243 municipality. Together with such information, the clerk shall publish a
244 notice that a primary will be held for the nomination by such political
245 party of a candidate for the offices to be filled or for the election of

246 members of the town committee, as the case may be, if a candidacy is
247 filed in accordance with the provisions of sections 9-382 to 9-450,
248 inclusive. Such notice shall specify the final date for the filing of such
249 candidacy and the date of the primary, shall state where forms for
250 petitions may be obtained and shall generally indicate the method of
251 procedure in the filing of such candidacy. The Secretary of the State
252 shall prescribe the form of such notice. The clerk shall forthwith
253 publish any change in the party-endorsed candidates, listing such
254 changes.

255 (b) In any year in which a state election is to be held, the notice
256 described in subsection (a) of this section shall: (1) Be published not
257 later than the seventy-sixth day preceding the day of the primary, (2)
258 indicate that the certification provided in section 9-391 can be made,
259 and (3) indicate that a list of persons endorsed as candidates will be on
260 file in the clerk's office, as provided in subsection (a) of this section.
261 The requirement contained in subsection (a) of this section to publish
262 the fact that the clerk of the municipality has failed to receive the
263 certification of the name of any person as a party-endorsed candidate
264 within the time limit in section 9-391, shall not apply to the notice
265 required by this subsection.

266 Sec. 11. Section 9-249a of the general statutes is repealed and the
267 following is substituted in lieu thereof (*Effective October 1, 2007*):

268 (a) The names of the parties shall be arranged on the machines in
269 the following order:

270 (1) The party [whose candidate for Governor polled the highest
271 number of votes in the last-preceding election] who had the greatest
272 number of enrolled members on the day of the last-preceding election;

273 (2) Other parties who had [candidates for Governor in] enrolled
274 members on the day of the last-preceding election, in descending
275 order, according to the number of [votes polled for each such
276 candidate] enrolled members of each such party;

277 [(3) Minor parties who had no candidate for Governor in the last-
278 preceding election;]

279 [(4)] (3) Petitioning candidates with party designation whose names
280 are contained in petitions approved pursuant to section 9-453o; [,] and

281 [(5)] (4) Petitioning candidates with no party designation whose
282 names are contained in petitions approved pursuant to section 9-453o.

283 (b) Within [each of subdivisions] subdivision (3) [and (4)] of
284 subsection (a) of this section, the following rules shall apply in the
285 following order:

286 (1) Precedence shall be given to the party any of whose candidates
287 seeks an office representing more people than are represented by any
288 office sought by any candidate of any other party;

289 (2) A party having prior sequence of office as set forth in section 9-
290 251 shall be given precedence; [,] and

291 (3) Parties shall be listed in alphabetical order.

292 (c) Within subdivision [(5)] (4) of subsection (a) of this section,
293 candidates shall be listed according to the provisions of section 9-453r.

294 Sec. 12. Section 9-453t of the general statutes is repealed and the
295 following is substituted in lieu thereof (*Effective from passage*):

296 Notwithstanding any other provision of the general statutes or any
297 special act, the nomination of a candidate by a major or minor party
298 under this chapter, for any office shall disqualify such candidate from
299 appearing on the ballot by nominating petition for the same office,
300 unless (1) such petition is circulated by an existing minor party with
301 the same party designation at the time of such nomination, and (2) the
302 minor party is otherwise qualified to nominate candidates on the same
303 ballot. Nothing in this section shall be construed to prohibit any
304 candidate from appearing on the ballot as the nominee of two or more
305 major or minor parties for the same office.

306 Sec. 13. Section 9-232e of the general statutes is repealed and the
307 following is substituted in lieu thereof (*Effective October 1, 2007*):

308 Any person requesting a challenged ballot and entitled thereto shall
309 announce his or her name to the official checkers. [who shall cross his
310 name off the registry list and add it with his address to the end of the
311 official list where it shall be designated "Challenged Ballot" and
312 serially numbered] The registrars of voters or the assistant registrar of
313 voters, as the case may be, shall write, in red ink, before the elector's
314 name on the registry list the initials "CB". The challenged ballot shall
315 be [an absentee] a regular ballot. After the voter has so announced his
316 or her name, the moderator shall deliver to such voter a [challenged]
317 regular ballot together with [an] a serially-numbered envelope marked
318 "Challenged Ballot". [and serially numbered.] The challenged voter
319 shall forthwith mark the ballot in the presence of the moderator in
320 such manner that the moderator shall not know how the ballot is
321 marked. [He] The challenged voter shall then fold the ballot in the
322 presence of the moderator so as to conceal the markings and deposit
323 and seal it in the serially-numbered envelope. [He] The challenged
324 voter shall then deliver such envelope to the moderator. The
325 moderator shall retain all such envelopes in an envelope [prescribed
326 by the Secretary of the State and] provided by the [municipal clerk
327 which he shall seal] registrars of voters that shall be sealed
328 immediately following the close of the polls. Such envelope shall be
329 delivered to the head moderator who shall file the envelope with the
330 municipal clerk. The municipal clerk shall retain such envelope until
331 the time when such envelope may be destroyed.

332 Sec. 14. Section 9-233 of the general statutes is repealed and the
333 following is substituted in lieu thereof (*Effective October 1, 2007*):

334 Prior to each election, the registrars of voters of each town [or voting
335 district, as the case may be,] shall appoint, for each voting [machine]
336 tabulator to be used at such election, at least one and not more than
337 two electors of such town as a voting [machine] tabulator tender,
338 unless the [municipality has] registrars of voters have established two

339 shifts for election officials under the provisions of section 9-258a, as
340 amended by this act, in which case the registrars shall appoint at least
341 one [or] and not more than two electors to be voting [machine tender]
342 tabulator tenders, for each voting [machine] tabulator, for each shift.

343 Sec. 15. Section 9-250 of the general statutes is repealed and the
344 following is substituted in lieu thereof (*Effective October 1, 2007*):

345 [Ballot labels] Ballots shall be printed in black ink, in plain clear
346 type, and on clear white material of such size as will fit the [machine]
347 tabulator, and shall be furnished by the [municipal clerk] registrar of
348 voters. The size and style of the type used to print the name of a
349 political party on a ballot [label] shall be identical with the size and
350 style of the type used to print the names of all other political parties
351 appearing on such ballot. [label.] The name of each major party
352 candidate for a municipal office, as defined in section 9-372, except for
353 the municipal offices of state senator and state representative, shall
354 appear on the ballot [label] as it appears on the registry list of the
355 candidate's town of voting residence, except as provided in section 9-
356 42a. The name of each major party candidate for a state or district
357 office, as defined in section 9-372, or for the municipal office of state
358 senator or state representative shall appear on the ballot as it appears
359 on the certificate or statement of consent filed under section 9-388,
360 subsection (b) of section 9-391, or section 9-400 or 9-409. The name of
361 each minor party candidate shall appear on the ballot [label] as it
362 appears on the registry list in accordance with the provisions of section
363 9-452. The name of each nominating petition candidate shall appear on
364 the ballot as it is verified by the town clerk on the application filed
365 under section 9-453b. The size and style of the type used to print the
366 name of a candidate on a ballot [label] shall be identical with the size
367 and style of the type used to print the names of all other candidates
368 appearing on such ballot. [label.] Such ballot [labels] shall contain the
369 names of the offices and the names of the candidates arranged thereon.
370 [Three complete sets of such ballot labels printed on cardboard shall be
371 furnished by the municipal clerk for each machine to be used in the
372 election.] The names of the political parties and party designations

373 shall be arranged on the [machines] ballots, either in columns or
374 horizontal rows as set forth in section 9-249a, immediately adjacent to
375 the column or row occupied by the candidate or candidates of such
376 political party or organization. When two or more candidates are to be
377 elected to the same office, the ballot [label] shall be printed in such
378 manner as to indicate that the elector may vote for any two or such
379 other number as he is entitled to vote for, provided in the case of a
380 town adopting the provisions of section 9-204a, such ballot [label] shall
381 indicate the maximum number of candidates who may be elected to
382 such office from any party. If two or more [officers] candidates are to
383 be elected to the same office for different terms, the term for which
384 each is nominated shall be printed on the official ballot as a part of the
385 title of the office. If, at any election, one candidate is to be elected for a
386 full term and another to fill a vacancy, the official ballot containing the
387 names of the candidates in the foregoing order shall, as a part of the
388 title of the office, designate the term which such candidates are
389 severally nominated to fill. No column, under the name of any political
390 party or independent organization, shall be printed on any official
391 ballot, which contains more candidates for any office than the number
392 for which an elector may vote for that office. [The voting machine
393 pointer over each position where no candidate's name appears shall be
394 locked so that no vote can be cast for such position.]

395 Sec. 16. Section 9-257 of the general statutes is repealed and the
396 following is substituted in lieu thereof (*Effective October 1, 2007*):

397 The room in which the election is held shall [have a railing
398 separating] be separated from the part of the room to be occupied by
399 the election officials and [the machine from the part of the room
400 adjacent to the entrance thereof. A guard rail may be provided
401 separating the machine from the election officials and the machine] the
402 voting tabulator shall be placed, if possible, at least three feet from any
403 wall or partition [or guard rail of the polling place] and at least four
404 feet from the official checkers' table and the ballot clerks' table. [The
405 exterior of the voting machine and every] Every part of the polling
406 place shall be in plain view of the election officials. The [machine]

407 tabulator shall be so placed that no person [outside the voting machine
408 booth] from any part of the room or from any place outside the room
409 can see or determine how the elector casts his or her vote. [and shall be
410 so placed, as far as possible, as to be in view of the officials and the
411 electors within the polling place from the beginning of the election.]
412 The election officials shall be so stationed that no member thereof shall
413 be concealed by the [machine] tabulator from the electors within the
414 polling place. The moderator or some one designated by [him] the
415 moderator shall be stationed near the [machine] tabulator, shall
416 regulate the admission of the [electors] elector's ballots thereto and
417 shall always be in full view of the other election officials and the
418 electors within the polling place.

419 Sec. 17. Section 9-258 of the general statutes is repealed and the
420 following is substituted in lieu thereof (*Effective October 1, 2007*):

421 [The] For municipalities with more than one voting district, the
422 election officials of each polling place, [except voting machine
423 mechanics] including voting tabulator technicians, shall be electors of
424 the [town] state and shall consist of one moderator, at least one but not
425 more than two official checkers, [two registrars of voters or] two
426 assistant registrars of voters [, as the case may be,] of opposite political
427 parties, each of whom shall be residents of the town, not more than
428 two challengers if the registrars of voters have appointed challengers
429 pursuant to section 9-232, and at least one and not more than two
430 [voting machine tenders] ballot clerks for each voting [machine]
431 tabulator in use at the polling place. A known candidate for any office
432 shall not serve as an election official on election day or serve at the
433 polls in any capacity, except that a municipal clerk or a registrar of
434 voters, who is a candidate for the same office, may perform his or her
435 official duties. If, in the opinion of the [municipal officials] registrar of
436 voters, the public convenience of the electors in any voting district so
437 requires, provision shall be made for an additional line or lines of
438 electors at the polling place and, if more than one line of electors is
439 established, at least one but not more than two additional official
440 checkers and at least one but not more than two ballot clerks for each

441 line of electors shall be appointed and, if more than one [machine]
442 tabulator is used in a polling place, at least one and not more than two
443 additional voting [machine] tabulator tenders shall be appointed for
444 each additional machine so used. Head moderators, central counting
445 moderators, absentee ballot counters and voting [machine mechanics]
446 tabulator technicians appointed pursuant to law shall also be deemed
447 election officials. For municipalities with one voting district, the
448 election officials of such polling place, except voting tabulator
449 technicians, shall be electors of the town and shall consist of: One
450 moderator, at least one, but not more than two official checkers, not
451 more than two challengers if the registrars of voters have appointed
452 challengers pursuant to section 9-232, and at least one and not more
453 than two voting tabulator tenders for each voting tabulator in use at
454 the polling place. Additionally, such election officials may consist of
455 two registrars of voters of opposite political parties, or two assistant
456 registrars of voters of opposite political parties, as the case may be,
457 subject to the requirements of sections 9-259 and 9-439, who shall: (1)
458 Be available by telephone and notify all registrars of voters' offices in
459 the state of such telephone number, (2) be connected to the state-wide
460 computerized registry list, and (3) have all voter card files in the
461 polling place for reference. A known candidate for any office shall not
462 serve as an election official on election day or serve at the polls in any
463 capacity, except that a municipal clerk or a registrar of voters, who is a
464 candidate for the same office, may perform his or her official duties. If,
465 in the opinion of the registrar of voters, the public convenience of the
466 electors in any voting district so requires, provision shall be made for
467 an additional line or lines of electors at the polling place and, if more
468 than one line of electors is established, at least one, but not more than
469 two, additional official checkers for each line of electors shall be
470 appointed and, if more than one tabulator is used in a polling place, at
471 least one and not more than two additional voting tabulator tenders
472 shall be appointed for each additional tabulator so used. Head
473 moderators, central counting moderators, absentee ballot counters and
474 voting tabulator technicians appointed pursuant to law shall be
475 deemed to be election officials. No election official shall perform

476 services for any party or candidate on election day nor appear at any
477 political party headquarters prior to eight o'clock p.m. on election day.

478 Sec. 18. Section 9-258a of the general statutes is repealed and the
479 following is substituted in lieu thereof (*Effective October 1, 2007*):

480 Notwithstanding any provision of the general statutes, special acts
481 or its charter, in each municipality [by a majority vote of its legislative
482 body,] the registrars of voters, or assistant registrar of voters, as the
483 case may be may establish, except for unofficial checkers and the
484 moderator, two shifts of election officials for each polling place. In each
485 polling place for which two or more shifts of election officials have
486 been provided in this section or section 9-235, the moderator shall keep
487 a written record of the specific hours and time served at the polls by
488 each election official. In each such polling place, all members of [both]
489 second shifts, [who are required to sign returns,] including official
490 checkers, [and] assistant registrars [if any,] and ballot clerks of [both]
491 second shifts, shall be present at the closing of the polls and shall
492 remain until all [returns have] paperwork has been executed.

493 Sec. 19. Section 9-259 of the general statutes is repealed and the
494 following is substituted in lieu thereof (*Effective October 1, 2007*):

495 (a) The moderator of the election in each municipality, voting
496 district or ward shall appear at the office of the [municipal clerk]
497 registrar of voters not later than eight o'clock p.m. of the day before the
498 election and there receive from the [municipal clerk] registrar of voters
499 the sample ballot, [labels, three complete sets of ballot labels and] all
500 checklists and other supplies necessary to conduct the election that
501 have not been delivered previously. [and make return thereof.] The
502 moderator shall receive [a sealed envelope, and a receipt therefor,
503 containing only the number two and number three election official]
504 keys for each voting [machine] tabulator to be used in the polling place
505 and sign a receipt for such. [Each such envelope shall bear the number
506 of the machine to which the keys belong. The number four election
507 official key for each voting machine shall be available to the registrars
508 for the use of the mechanics beginning at five fifteen a.m. on the day of

509 the election. The supplies provided by the municipal clerk to the
510 moderator shall include a number of paper ballots for the purposes of
511 sections 9-263 and 9-264, which shall be equal to not less than one per
512 cent of the number of electors who are eligible to vote in the voting
513 district served by the moderator, or such other number as the
514 municipal clerk and the registrars agree is sufficient to protect electors'
515 voting rights.]

516 (b) On the morning of the election, the election officials shall meet at
517 the room where the election is to be held at least forty-five minutes
518 before the time for opening the polls. The moderator shall then cause
519 the [three] sample ballot [labels] and [instruction cards] instructions to
520 be posted and everything put in readiness for the commencement of
521 voting at the hour of opening the polls. [The envelope containing the
522 keys shall not be opened until at least one election official from each of
523 two political parties is present at the polling place and has examined
524 the envelope to see that it has not been opened. Before opening the
525 envelope, all election officials present] The moderator and the
526 registrars of voters, or the assistant registrars of voters, as the case may
527 be, shall examine the [number of the seal of the machine and the
528 number registered on the protective counter, if one is provided, and
529 shall see if they are the same as the numbers written on the envelope
530 containing the keys. If the numbers are found not to agree, the
531 envelope shall not be opened until the mechanic in charge of the
532 machine, or the registrars or one of the registrars under whose
533 direction the machine was prepared under section 9-243, has been
534 notified and such mechanic, registrars or registrar has appeared at the
535 polling place for the purpose of reexamining such machine and has
536 certified that it is properly arranged. If the numbers on the seal and the
537 protective counter, if one is provided, are found to agree with the
538 numbers on the envelope, the election officials shall proceed to open
539 the doors concealing the counters. The election officials, in the
540 presence of the party watchers, shall compare the ballot labels on the
541 machine with the sample ballot labels to see that they are correct, and,
542 if the machine is not so labeled, set and adjusted and in order, they
543 shall immediately label, set and adjust the same and place it in order,

544 or cause it to be done, examine and see that all the counters in the
545 machine are set at zero (000) and that the machine is otherwise in
546 perfect order and make written report thereof as hereinbefore directed
547 and they shall not thereafter permit the counters to be operated or
548 moved except by electors in voting. If the machine is equipped with a
549 device for printing totals of candidate and question counters, the doors
550 concealing the counters shall not be opened. The election officials shall
551 examine the printed record produced by the machine to see that each
552 counter registers zero and shall allow watchers to examine the printed
553 record. They shall also see that all necessary arrangements and
554 adjustments are made for voting write-in ballots on the machine and
555 that the machine and its attachments are properly set or adjusted so
556 that the elector will be concealed while in the act of voting. There shall
557 be printed directions for the guidance of the election officials before
558 the polls are opened and when the polls are closed] numbers on the
559 seals of the tabulator.

560 (c) The moderator's return which the moderator receives from the
561 [municipal clerk for state elections] registrars of voters for all elections
562 shall be in a form prescribed by the Secretary of the State. [There shall
563 be printed on the moderators' returns a certificate, which shall be
564 signed by the election officials] The moderator and the registrars of
565 voters, or the assistant registrars of voters, as the case may be, before
566 the polls are opened, [showing the] shall indicate on the return: (1) The
567 delivery of the [keys in a sealed envelope;] tabulator; and (2) the
568 [number] numbers on the [seal; the number registered on the
569 protective counter, if one is provided; whether all of the counters are
570 set at zero (000); whether the public counter is set at zero (000);
571 whether the ballot labels are properly placed in the machine; also]
572 seals. Additionally, the moderator and the registrars of voters, or the
573 assistant registrars of voters, as the case may be, shall produce a zero
574 tape indicating that the public counter is set at zero (000). The seal on
575 the tabulator shall remain unbroken. If the seal is broken, the registrars
576 of voters shall be notified immediately and the tabulator tape shall be
577 produced. If the tape does not show all zeros, the registrars of voters
578 shall be notified immediately and the tabulator shall not be used.

579 (d) In addition to the requirements established in subsection (c) of
580 this section, the return shall include a certificate, which shall be filled
581 out after the polls have been closed [,] and which indicates that the
582 [machine] tabulator has been locked against voting and remains sealed
583 [; the number of electors as shown on the public counter; the number
584 on the seal; the number registered on the protective counter, if one is
585 provided, and that the voting machine is closed and locked] and that
586 also indicates the number of electors as shown on the public counter
587 along with the number on all the seals. The moderators' returns shall
588 show the total number of votes cast for each office, the number of votes
589 cast for each candidate [, as shown on his counter,] and the number of
590 votes for persons not nominated, which shall be certified by the
591 moderator [, checkers] and registrars of voters, or assistant registrars,
592 as the case may be. [If any of the counters are not set at zero and the
593 election officials are not able to set them at zero, the actual number
594 registered or indicated on such counters shall be entered on such tally
595 sheet, and, at the end of the election, that number shall be deducted
596 from the number then shown on the counter to ascertain the true vote
597 cast for the candidate to whom such counter belongs.]

598 [(d) The mechanic's seal on the machine shall not be broken until the
599 officials have assembled on the morning of the election. The officials
600 shall examine the seal before breaking it.]

601 Sec. 20. Section 9-261 of the general statutes is repealed and the
602 following is substituted in lieu thereof (*Effective October 1, 2007*):

603 (a) In each primary, election or referendum, when an elector has
604 entered the polling place, the elector shall announce the elector's street
605 address, if any, and the elector's name to the official checkers in a tone
606 sufficiently loud and clear as to enable all the election officials present
607 to hear the same. Each elector who registered to vote by mail for the
608 first time on or after January 1, 2003, and has a "mark" next to the
609 elector's name on the official registry list, as required by section 9-23r,
610 shall present to the official checkers, before the elector votes, either a
611 current and valid photo identification that shows the elector's name

612 and address or a copy of a current utility bill, bank statement,
613 government check, paycheck or other government document that
614 shows the name and address of the elector. Each other elector shall (1)
615 present to the official checkers the elector's Social Security card or any
616 other preprinted form of identification which shows the elector's name
617 and either the elector's address, signature or photograph, or (2) on a
618 form prescribed by the Secretary of the State, write the elector's
619 residential address and date of birth, print the elector's name and sign
620 a statement under penalty of false statement that the elector is the
621 elector whose name appears on the official checklist. Such form shall
622 clearly state the penalty of false statement. A separate such form shall
623 be used for each elector. If the elector presents a preprinted form of
624 identification under subdivision (1) of this subsection, the official
625 checkers shall check the name of such elector on the official checklist. If
626 the elector completes the form under subdivision (2) of this subsection,
627 the registrar of voters or the assistant registrar of voters, as the case
628 may be, shall examine the information on such form and either instruct
629 the official checkers to check the name of such elector on the official
630 checklist or notify the elector that the form is incomplete or inaccurate.

631 (b) In the event that an elector is present at the polling place but is
632 unable to gain access to the polling place due to a temporary
633 incapacity, the elector may request that the ballot be brought to him or
634 her. The registrars of voters or the assistant registrars of voters, as the
635 case may be, shall take such ballot, along with a privacy sleeve to such
636 elector. The elector shall show identification, in accordance with the
637 provisions of this section. The elector shall forthwith mark the ballot in
638 the presence of the election officials in such manner that the election
639 officials shall not know how the ballot is marked. The elector shall
640 place the ballot in the privacy sleeve. The election officials shall mark
641 the elector's name on the official voter list as having voted and deliver
642 such ballot and privacy sleeve to the voting tabulator where such
643 ballot shall be placed into the tabulator, by the election official, for
644 counting. The moderator shall record such activity in the moderator's
645 diary.

646 [(b)] (c) In each polling place in which two or more parties are
647 holding primaries in which unaffiliated electors are authorized to vote,
648 pursuant to section 9-431, an unaffiliated elector shall also announce to
649 the separate table of the official checkers for unaffiliated electors the
650 party in whose primary [he] the elector chooses to vote and the official
651 checkers shall note such party when checking such elector's name on
652 the checklist of unaffiliated electors, provided such choice shall not
653 alter the elector's unaffiliated status.

654 [(c)] (d) In each polling place in which two or more parties are
655 holding primaries in which unaffiliated electors are authorized to vote
656 or in which one party is holding a primary in which unaffiliated
657 electors are authorized to vote for some but not all offices to be
658 contested at the primary, the official checkers shall give to each elector
659 checked a receipt provided by the [municipal clerk] registrar of voters,
660 in a form prescribed by the Secretary of the State, specifying either (1)
661 the party with which he is enrolled, if any, or (2) in the case of an
662 unaffiliated elector, the party in whose primary he has so chosen to
663 vote, and whether he is authorized to vote for only a partial ballot.

664 [(d)] (e) If not challenged by [any of the election officials] anyone
665 lawfully present in the polling place, the elector shall be permitted to
666 pass [the railing to the side where the machine is located] to the
667 separated area to receive the ballot. The elector shall give any receipt
668 [he] the elector has received to a [voting machine tender at the
669 machine to which he is directed and the machine tender shall permit
670 the elector] ballot clerk who shall give the elector a ballot to vote only
671 in the primary of the party specified by the receipt. [and, if applicable,
672 on the separate voting machine with the partial ballot specified by the
673 receipt.] The elector shall be permitted into the voting [machine] booth,
674 and [he] shall then register his or her vote in secret. Having voted, [he]
675 the elector shall immediately exit the voting [machine] booth and
676 deposit the ballot in the voting tabulator and leave the room. No
677 elector shall remain within the voting [machine] booth longer than
678 [two minutes] the time necessary to complete the ballot, and, if [he] the
679 elector refuses to leave such booth after [the lapse of that time, he]

680 completing the ballot, the elector shall at once be removed by the
681 election officials upon order of the moderator. Not more than one
682 elector at a time shall be permitted to [operate the machine or] be
683 within the enclosed space which the elector occupies while [operating
684 the machine] the elector completes his or her ballot, provided an
685 elector may be accompanied within such enclosed space by one or
686 more children who are fifteen years of age or younger and supervised
687 by the elector, if the elector is the parent or legal guardian of such
688 children. At least two additional electors, whose next turn it is to vote
689 shall be permitted in the polling [place] area for the purpose of
690 receiving [instruction before voting on the machine] a ballot. If any
691 elector, after entering the voting [machine] booth, asks for further
692 instruction concerning the manner of voting, [two] the election officials
693 [of different political parties shall stand outside the voting machine
694 booth and] shall give such instructions or directions to the elector; [as
695 the two officials agree upon;] but no election official instructing or
696 assisting an elector, except as provided in section 9-264, shall [open,
697 look inside or put his hand inside the curtain,] look at the ballot in
698 such a way as to see the elector's markings or in any manner seek to
699 influence any such elector in the casting of [his] the elector's vote.

700 Sec. 21. Section 9-262 of the general statutes is repealed and the
701 following is substituted in lieu thereof (*Effective October 1, 2007*):

702 During the entire period of an election, at least one of the election
703 officials [, to be designated from time to time by the moderator,] shall
704 be stationed [beside the entrance to] approximately three to four feet
705 from the voting [machine booth] tabulator to regulate the [admission
706 of electors thereto, and shall see that it is properly closed after an
707 elector has entered it to vote. He] submission of the elector's ballot. The
708 election officials shall also, at such intervals as [he deems] such
709 officials deem proper or necessary, examine the [face of the machine]
710 voting booth to ascertain whether it has been defaced or damaged and
711 to detect the wrongdoer and repair the damage. After the opening of
712 the polls, no election official shall allow any person other than the
713 election officials to pass within the [railing to the part of the room] area

714 where the [machine is] voting booths and voting tabulator are situated,
715 except for the purpose of voting or except as provided in this part. [;
716 and no such official shall permit more than one elector at a time to be
717 in such part of the room.] No election official shall remain or permit
718 any person to remain in any position or near any position that would
719 permit him to see or ascertain how an elector votes. [or how he has
720 voted.]

721 Sec. 22. Section 9-265 of the general statutes is repealed and the
722 following is substituted in lieu thereof (*Effective October 1, 2007*):

723 (a) A write-in [ballot] vote for an office, cast for a person who has
724 registered as a write-in candidate for the office pursuant to subsection
725 (b) of section 9-175 or section 9-373a, shall be counted and recorded.
726 Except as otherwise provided in this section, a write-in [ballot] vote
727 cast for a person who has not registered shall not be counted or
728 recorded.

729 (b) Except as otherwise provided in this section, in the case of an
730 office for which an elector may vote for only one candidate, a write-in
731 [ballot] vote cast for a person nominated for that office by a major or
732 minor party or by nominating petition shall be counted and recorded.
733 In the case of an office for which an elector may vote for more than one
734 candidate, a write-in [ballot] vote cast for a person nominated for that
735 office by a major or minor party or by nominating petition shall not be
736 counted or recorded.

737 (c) A write-in [ballot] vote for the office of Governor or Lieutenant
738 Governor, cast for a person nominated for either of those offices by a
739 major or minor party or by nominating petition, in conjunction with a
740 write-in [ballot] vote for the other such office cast for a person
741 nominated for either office by a different party or petition, shall not be
742 counted or recorded for either office.

743 (d) Except as hereinafter provided, a write-in [ballot] vote for the
744 office of President or Vice-President cast for a person nominated for
745 such office by a major or minor party or by nominating petition shall

746 be counted and recorded and deemed to be a vote for each of the duly-
747 nominated candidates for the office of presidential elector represented
748 by such candidate for President or Vice-President. A write-in [ballot]
749 vote for the office of President or Vice-President, cast for a person
750 nominated for either of such offices by a major or minor party or by
751 nominating petition, in conjunction with a write-in [ballot] vote for the
752 other such office cast for a person nominated for either office by a
753 different party or petition, shall not be counted or recorded for either
754 office.

755 (e) If the name of a person is written in for the office of Governor or
756 Lieutenant Governor, or President or Vice-President, as the case may
757 be, and no name is written in for the other office, such write-in [ballot]
758 vote shall be counted and recorded if it meets the other requirements
759 of this section.

760 (f) A write-in [ballot] vote shall be cast in its appropriate place on
761 the [voting machine] ballot. A write-in [ballot] vote for Governor and
762 Lieutenant Governor, or for President and Vice-President, as the case
763 may be, shall be written in a single space, provided that if only one
764 name is written in the space it shall be deemed to be a vote for
765 Governor, or for President, as the case may be, unless otherwise
766 indicated. A write-in [ballot] vote shall be written upon the [paper
767 contained in the receptacle or device provided in the voting machine
768 for such purpose. The registrars of voters shall cause an adhesive label,
769 provided by the Secretary of the State, upon which shall be imprinted
770 the words "write-in slides", to be affixed to the upper left-hand corner
771 of each voting machine, directly opposite the write-in slides. The
772 registrars shall (1) lock all write-in slides if there are no registered
773 write-in candidates for any office or (2) lock the write-in slides for
774 multiple-opening offices if there are registered write-in candidates
775 only for single opening offices] ballot.

776 (g) A write-in [ballot] vote which is not cast as provided in this
777 section shall not be counted or recorded.

778 Sec. 23. Section 9-266 of the general statutes is repealed and the

779 following is substituted in lieu thereof (*Effective October 1, 2007*):

780 When the [machine] voting tabulator has been locked at the close of
781 an election, [in the manner required by section 9-310,] the moderator
782 shall [place all keys of the machine on a strong and sufficient string or
783 wire and label the same with the make and number of the machine and
784 the name of the municipality and the number of the ward or voting
785 district therein at which used at such election, and] return [such] the
786 keys for the tabulator to the [municipal clerk] registrars of voters with
787 the official returns. Except as provided in section 9-311, such [clerk]
788 registrars of voters shall securely keep such keys and not permit the
789 same to be taken, or any [voting machine] tabulator to be unlocked, for
790 a period of fourteen days from the election, unless otherwise ordered
791 by a court of competent jurisdiction, or by the State Elections
792 Enforcement Commission. All [machines] tabulators shall be [boxed
793 and] collected immediately on the day after election or as soon
794 thereafter as possible, and shall be secured and stored in a place or
795 places directed by the [board of selectmen] registrars of voters.

796 Sec. 24. Section 9-287 of the general statutes is repealed and the
797 following is substituted in lieu thereof (*Effective October 1, 2007*):

798 Each ballot box used in any election shall be provided with a lock
799 which shall be set and securely fastened in a mortise so as to be flush
800 with the side or surface of such box and so arranged as to be locked
801 and unlocked by means of a key. [The selectmen of each town shall
802 provide the ballot boxes with such locks and keys; but, in any town in
803 which the duties of selectmen, except as to the qualification and
804 admission of electors, have been vested by law in other officials, the
805 registrars shall provide such locks and keys] Such locks and keys shall
806 be provided by the registrar of voters at the expense of the
807 municipality.

808 Sec. 25. Section 9-289 of the general statutes is repealed and the
809 following is substituted in lieu thereof (*Effective October 1, 2007*):

810 The [selectmen of each town, unless otherwise provided by law,]

811 registrars of voters shall provide a suitable room or rooms or booths
812 for holding all elections at which paper ballots are to be used and shall
813 give public notice of the location thereof at least one week before the
814 day of such elections. The number of rooms or booths shall be one for
815 each one hundred and fifty names on the last-completed registry list of
816 the town, except that in towns having more than fifteen hundred
817 names on such list there shall be one for each two hundred and fifty
818 names. Such room or rooms or booths shall be supplied with necessary
819 conveniences for electors to arrange their ballots. The interior of the
820 rooms or booths shall be secure from outside observation, and such
821 rooms or booths shall be located in or connected with the room where
822 the ballot boxes shall be stationed. The [selectmen] registrars of voters
823 shall provide the ballot box or boxes necessary for use at all such
824 elections. Each such ballot box shall have an aperture in its lid for the
825 purpose of depositing the ballots and shall be so constructed that,
826 when the voting is completed, the aperture may be closed so that no
827 ballots can afterward be put into the box without reopening it. In
828 addition thereto, the [selectmen] registrars of voters shall prepare or
829 cause to be prepared an additional box which shall be placed by the
830 side of the ballot box, which box shall be constructed in the same
831 manner as the ballot box, in which box all stubs torn or separated from
832 the ballots at the time of voting shall at such time be deposited. Such
833 boxes shall be marked respectively "ballots" and "stubs", in order to
834 designate the boxes in which the ballots and stubs shall be deposited,
835 respectively. Any expenses incurred in the execution of the
836 requirements of this section shall be paid by the municipality.

837 Sec. 26. Section 9-290 of the general statutes is repealed and the
838 following is substituted in lieu thereof (*Effective October 1, 2007*):

839 (a) The [selectmen] registrars of voters shall provide, at the entrance
840 into the enclosure prescribed by section 9-289, as amended by this act,
841 a ballot [booth] table at which the elector shall obtain the elector's
842 ballot. Each ballot [booth] table shall [be in charge of two ballot clerks,
843 not of the same political party,] have at least one ballot clerk, but not
844 more than two such clerks who shall be appointed by the registrars.

845 (b) In each primary, election or referendum, when an elector has
846 entered the polling place, the elector shall (1) announce the elector's
847 street address [, if any,] and name to the official checkers in a tone
848 sufficiently loud and clear to enable all the election officials present to
849 hear the same, and (2) (A) present to the official checkers the elector's
850 Social Security card or any other preprinted form of identification
851 which shows the elector's name and either the elector's address,
852 signature or photograph, or (B) sign a statement under penalty of false
853 statement, on a form prescribed by the Secretary of the State, that the
854 elector is the person whose name appears on the official checklist.
855 [Each] The official checker shall check the name of such elector on the
856 official checklist. No political party shall have more than one
857 challenger. The moderator may allow in the polling place any
858 witnesses that may be required in the case of a challenge, provided the
859 moderator shall not allow in more than one witness at a time.

860 (c) In each polling place in which two or more parties are holding
861 primaries in which unaffiliated electors are authorized to vote
862 pursuant to section 9-431, an unaffiliated elector shall also announce to
863 the separate table of official checkers for unaffiliated electors the party
864 in whose primary the elector chooses to vote and the official checkers
865 shall note such party when checking such elector's name on the
866 checklist of unaffiliated electors. Such choice shall not alter the elector's
867 unaffiliated status.

868 (d) In each polling place in which two or more parties are holding
869 primaries in which unaffiliated electors are authorized to vote or in
870 which one party is holding a primary in which unaffiliated electors are
871 authorized to vote for some but not all offices to be contested at the
872 primary, the official checkers shall give to each elector checked a
873 receipt provided by the [municipal clerk] registrar of voters, in a form
874 prescribed by the Secretary of the State, specifying either (1) the party
875 with which the elector is enrolled, if any, or (2) in the case of an
876 unaffiliated elector, the party in whose primary the elector has chosen
877 to vote and whether the elector is authorized to vote for only a partial
878 ballot.

879 (e) If not challenged by any of the election officials, the elector shall
880 be permitted to pass into the [railing to the side] area where the [ballot
881 booth is] booths are located. The elector shall give any receipt the
882 elector has received to a ballot clerk [at the ballot booth to which the
883 elector is directed] and the ballot clerk shall give the elector a ballot
884 and permit the elector to vote only in the primary of the party
885 specified by the receipt. [and, if applicable, at the separate ballot booth
886 with the partial ballot specified by the receipt. One of the] The ballot
887 clerks shall deliver to such elector one official ballot, except that if any
888 elector so defaces or injures any such ballot as to render it unfit for use,
889 upon the return of such ballot to the ballot clerks, such clerks shall
890 furnish the elector with another official ballot.

891 Sec. 27. Section 9-294 of the general statutes is repealed and the
892 following is substituted in lieu thereof (*Effective October 1, 2007*):

893 The registrars of [each town] voters shall [designate and] appoint
894 [two persons] at least one person but not more than two persons to
895 serve during the hours the polls are open, who shall have charge of the
896 [rooms or] voting booths herein provided for. Only one elector at a
897 time shall be permitted to enter the same [room or] voting booth to
898 prepare his or her ballot, unless the elector, from physical infirmity,
899 requires assistance [, and the booth tenders shall see that the space is
900 vacant before admitting an elector,] and no person, while an elector is
901 in such [room or] booth, shall attempt to learn about or observe the
902 ballot prepared by such elector. [No] The elector shall remain in the
903 [room or] voting booth [,] only while preparing [his] the elector's
904 ballot, [more than three minutes,] and [he] the elector shall thereupon
905 [pass out and into the enclosure where the ballot box and stub box are
906 placed and,] leave the voting booth under the direction of the
907 [moderator,] polling place officials and shall deposit his or her ballot
908 [upon] in the ballot tabulator or box. Each person who has received an
909 official ballot from any ballot clerk [, and who, having passed into the
910 enclosure where the ballot box and the stub box are placed, fails to
911 deposit the same upon the ballot box as prescribed, shall immediately,
912 and before leaving such enclosure, deliver the same to the moderator;

913 and any person, having received an official ballot from either of such
914 ballot clerks, who fails to pass with the same into the enclosure in
915 which such ballot box and stub box are placed, shall immediately, and
916 before leaving the room or booth in which such ballot clerks are
917 stationed, return the same to such ballot clerks] and who fails to
918 deposit the ballot in the ballot box as prescribed shall immediately and
919 before leaving such voting area deliver the unused ballot to such ballot
920 clerks for spoiling.

921 Sec. 28. Section 9-295 of the general statutes is repealed and the
922 following is substituted in lieu thereof (*Effective October 1, 2007*):

923 [If any elector attempts to place in the box a ballot not folded within
924 the booth as hereinbefore provided, the moderator or the box-tender in
925 charge of the ballot box shall direct such elector to return to such booth
926 for the purpose of folding his ballot.] If any ballot contains a greater
927 number of names voted for [for] any office than is provided by law, it
928 shall render such ballot void as to such office only. If any ballot
929 contains any mark or device other than as hereinbefore provided, so
930 that the same may be identified in such a manner as to indicate who
931 cast the [same, or is folded otherwise than as delivered to the elector
932 by the ballot clerk] ballot, the ballot shall not be counted, but shall be
933 kept by the moderator and returned to the [municipal clerk] registrar
934 of voters in [the ballot box in] a separate package from the ballots
935 counted at such election; provided any extension of [a cross, plus or
936 check] markings beyond the [square] area in which it is marked shall
937 not invalidate a ballot if the elector's intent is clear and if it would not
938 serve to identify the elector.

939 Sec. 29. Section 9-296 of the general statutes is repealed and the
940 following is substituted in lieu thereof (*Effective October 1, 2007*):

941 At [each regular or special state, municipal or ward election] all
942 elections, the registrars of [each town or voting district, as the case may
943 be,] voters shall appoint [a suitable elector residing therein,] at least
944 one but not more than two electors for each ballot box, to be a box-
945 tender or box-tenders. [, and one or two others, as may be necessary, to

946 be substitute box-tenders for each box, respectively.] No person not so
947 appointed shall have charge of any ballot box during the taking of any
948 vote. [, and no known candidate for any office shall be moderator, or
949 be put in charge of any box in which votes are cast for such office, or
950 take part in the count thereof, except that candidates for registrar of
951 voters may act as counters of votes cast in town elections. Any
952 candidate who violates any provision of this section shall be fined not
953 more than five hundred dollars.]

954 Sec. 30. Section 9-304 of the general statutes is repealed and the
955 following is substituted in lieu thereof (*Effective October 1, 2007*):

956 Any person who fraudulently abstracts any vote from the ballot box
957 used at any election, [within one hundred eighty days thereafter,] or
958 who, at such election [or within one hundred eighty days thereafter,]
959 fraudulently intermingles any vote or votes with the votes legally
960 deposited in any such box, shall be fined not more than five hundred
961 dollars and imprisoned not more than two years nor less than six
962 months and shall be disfranchised.

963 Sec. 31. Section 9-306 of the general statutes is repealed and the
964 following is substituted in lieu thereof (*Effective October 1, 2007*):

965 Any person, not expressly authorized thereto, who has [in his]
966 possession of any official ballot, and any person who makes or has [in
967 his] possession of any forged imitation of any official ballot, and any
968 person who offers to anyone not authorized or permitted by law to
969 have or receive an official ballot or who aids or knowingly permits any
970 person to obtain possession of an official ballot, and any person who
971 offers to aid or knowingly permits anyone to obtain possession of an
972 official ballot for the purpose of using the same for any purpose not
973 prescribed by law, and any person not authorized who gives or offers
974 to any person an official ballot, and any person who offers to another
975 any forged imitation of any official ballot or offers to the box-tender,
976 for the purpose of voting the same, any ballot not an official ballot, and
977 any person who offers any elector while [he] the elector is in an
978 election booth any ballot or places any ballot in such booth for the use

979 of any elector or for any purpose, and any person, not by law
980 authorized thereto, who receives any official ballot from any person
981 not authorized by the provisions of this part to offer or give the same,
982 and any person who receives an official ballot for the purpose of using
983 the same for any other purpose or purposes than those expressly
984 named by the provisions of this part, and any person who knowingly
985 receives for the purpose of depositing the same in any ballot box any
986 forged imitation of any official ballot, and any box-tender who
987 knowingly deposits in any ballot box any ballot not an official ballot or
988 any box-tender who knowingly deposits in any stub box any stub
989 other than one torn or separated from a ballot offered by an elector
990 while in the act of voting, and any person who imitates any official
991 ballot or prints or causes to be printed any ballot authorized by this
992 part in any manner other than as prescribed by the Secretary of the
993 State, and any person who places upon any official ballot any mark or
994 device for the purpose of enabling any person to identify the same as
995 having been voted by [himself] the elector or by any particular person,
996 or who alters or changes any ballot by erasing or removing any name
997 or names therefrom, and any person who attempts to ascertain or
998 observe the ballot being voted by any elector while such elector is in
999 any booth or enclosure so as to ascertain how such elector has voted,
1000 except as provided in this part, and any person who, having received
1001 his or her official ballot, leaves the voting place without having either
1002 delivered it to the box-tender or the moderator or returned it to a ballot
1003 clerk, and any person who prints or causes to be printed upon any
1004 official ballot the name of any person not a candidate of a party whose
1005 name is printed at the head of the column containing such party
1006 nominees or offers to any elector such ballot, shall be fined not less
1007 than one hundred dollars nor more than one thousand dollars or
1008 imprisoned not more than five years or be both fined and imprisoned.

1009 Sec. 32. Section 9-310 of the general statutes is repealed and the
1010 following is substituted in lieu thereof (*Effective October 1, 2007*):

1011 As soon as the count is completed [and ascertained as required in
1012 this chapter] and the moderator's return required under the provisions

1013 of section 9-259, as amended by this act, has been executed, [and a
1014 duplicate copy thereof placed in one of the machines,] the moderator
1015 shall [close and lock the counting compartments and seal the operating
1016 lever with a numbered metal seal, and the machine] place the sealed
1017 tabulator in the tabulator bag, and so seal the bag, and the tabulator
1018 shall remain so [locked] sealed against voting or being tampered with
1019 for a period of fourteen days, except as provided in section 9-311 or
1020 pursuant to an order issued by the State Elections Enforcement
1021 Commission. [When write-in ballots have been voted, the moderator
1022 shall remove from the machines the portions of paper on which such
1023 ballots were written, enclose them in a properly secured sealed
1024 package, endorsed "write-in ballots", with the municipality and the
1025 ward or voting district therein indicated thereon, and shall file such
1026 package with the clerk of such municipality.] If it is determined that a
1027 recanvass is required pursuant to section 9-311 or 9-311a, immediately
1028 upon such determination the [machines] tabulators, write-in ballots,
1029 absentee ballots, moderators' returns and all other notes, worksheets or
1030 written materials used at the election shall be impounded at the
1031 direction of the Secretary of the State. Such package shall be preserved
1032 for one hundred eighty days after such election and may be opened
1033 and its contents examined in accordance with section 9-311 or upon an
1034 order of a court of competent jurisdiction. At the end of one hundred
1035 eighty days, unless otherwise ordered by the court, such package and
1036 its contents may be destroyed. Any person who unlocks the voting or
1037 operating mechanism of the [machine] tabulator or the counting
1038 compartment after it has been locked as above directed or breaks or
1039 destroys or tampers with the seal after it has been affixed as above
1040 directed or changes the indication of the counters on any voting
1041 [machine] tabulator within fourteen days after the election or within
1042 any longer period during which the [machine] tabulator is kept locked
1043 as ordered by a court of competent jurisdiction or by the State
1044 Elections Enforcement Commission in any special case, except as
1045 provided in section 9-311, shall be imprisoned for not more than five
1046 years. Any [machine] tabulator may be released in less than fourteen
1047 days, for use in another election, by order of a court, if there is no

1048 disagreement as to the returns from such machine and no order
1049 directing impoundment has been issued by the State Elections
1050 Enforcement Commission.

1051 Sec. 33. Section 9-1 of the general statutes is repealed and the
1052 following is substituted in lieu thereof (*Effective October 1, 2007*):

1053 Except as otherwise provided, the following terms, as used in this
1054 title and sections 3-124, 7-5, 7-6, 7-7, 7-17, 7-20, 7-39, 7-157, 7-214, 7-275,
1055 7-295, 7-343, 7-407, 8-1, 8-5, 8-19, 10-219, 11-36, 13a-11, 30-10, 30-11, 45a-
1056 18, 45a-19 and 51-95 shall have the following meanings:

1057 (a) "Ballot label" means [that portion of cardboard,] paper or other
1058 material [placed on the front of the voting machine,] containing the
1059 names of the candidates or a statement of a proposed constitutional
1060 amendment or other question or proposition to be voted on;

1061 (b) "Board for admission of electors" means the board as composed
1062 under subsection (a) of section 9-15a;

1063 (c) "Clerical error" means any error in the registry list or enrollment
1064 list due to a mistake or an omission on the part of the printer or a
1065 mistake or omission made by the registrars or their assistants;

1066 (d) "Election" means any electors' meeting at which the electors
1067 choose public officials by use of voting machines or by paper ballots as
1068 provided in sections 9-271 and 9-272;

1069 (e) "Elector" means any person possessing the qualifications
1070 prescribed by the Constitution and duly admitted to, and entitled to
1071 exercise, the privileges of an elector in a town;

1072 (f) Repealed by P.A. 77-298, S. 14;

1073 (g) "Municipal clerk" means the clerk of a municipality;

1074 (h) "Municipal election" means the regularly recurring election held
1075 in a municipality at which the electors of the municipality choose
1076 public officials of such municipality;

- 1077 (i) "Municipality" means any city, borough or town within the state;
- 1078 (j) "Official ballot" means the official ballot [label] to be used at an
1079 election, or the official paper ballot to be used thereat in accordance
1080 with the provisions of sections 9-271 and 9-272;
- 1081 (k) "Population" means the population according to the last-
1082 completed United States census;
- 1083 (l) "Presidential electors" means persons elected to cast their ballots
1084 for President and Vice President of the United States;
- 1085 (m) "Print" means methods of duplication of words by mechanical
1086 process, but shall not include typewriting;
- 1087 (n) "Referendum" means (1) a question or proposal which is
1088 submitted to a vote of the electors or voters of a municipality at any
1089 regular or special state or municipal election, as defined in this section,
1090 (2) a question or proposal which is submitted to a vote of the electors
1091 or voters, as the case may be, of a municipality at a meeting of such
1092 electors or voters, which meeting is not an election, as defined in
1093 subsection (d) of this section, and is not a town meeting, or (3) a
1094 question or proposal which is submitted to a vote of the electors or
1095 voters, as the case may be, of a municipality at a meeting of such
1096 electors or voters pursuant to section 7-7 or pursuant to charter or
1097 special act;
- 1098 (o) "Regular election" means any state or municipal election;
- 1099 (p) "Registrars" means the registrars of voters of the municipality;
- 1100 (q) "Registry list" means the list of electors of any municipality
1101 certified by the registrars;
- 1102 (r) "Special election" means any election not a regular election;
- 1103 (s) "State election" means the election held in the state on the first
1104 Tuesday after the first Monday in November in the even-numbered
1105 years in accordance with the provisions of the Constitution of

1106 Connecticut;

1107 (t) "State officers" means the Governor, Lieutenant Governor,
1108 Secretary of the State, Treasurer, Comptroller and Attorney General;

1109 (u) "Voter" means a person qualified to vote at town and district
1110 meetings under the provisions of section 7-6;

1111 (v) "Voting district" means any municipality, or any political
1112 subdivision thereof, having not more than one polling place in a
1113 regular election;

1114 (w) "Voting [machine] tabulator" means a machine, including, but
1115 not limited to, a device which operates by electronic means, for the
1116 registering and recording of votes cast at elections, primaries and
1117 referenda;

1118 (x) "Write-in ballot" means a vote cast for any person whose name
1119 does not appear on the official ballot as a candidate for the office for
1120 which his name is written in;

1121 (y) "The last session for admission of electors prior to an election"
1122 means the day which is the seventh day prior to an election.

1123 Sec. 34. Section 9-238 of the general statutes is repealed and the
1124 following is substituted in lieu thereof (*Effective October 1, 2007*):

1125 (a) Except as provided in sections 9-271 and 9-272, voting machines
1126 shall be used at all elections held in any municipality, or in any part
1127 thereof, for voting and registering and counting votes cast at such
1128 elections for officers, and upon all questions or amendments submitted
1129 at such elections. The board of selectmen of each town, the common
1130 council of each city and the warden and burgesses of each borough
1131 shall purchase or lease, or otherwise provide, for use at elections in
1132 each such municipality a number of voting [machines] tabulators
1133 approved by the Secretary of the State, [sufficient to provide a voting
1134 machine for each nine hundred or fraction of nine hundred electors
1135 whose names are on the last-completed registry list of such

1136 municipality and, in municipalities divided into voting districts, a
1137 number of such voting machines sufficient to provide for each voting
1138 district a voting machine for each nine hundred or fraction of nine
1139 hundred electors whose names are on the last-completed registry list
1140 for such voting district. In determining such number of electors, such
1141 officials shall not count the names on such registry lists of seventy-five
1142 per cent of the electors who reside in institutions, as defined in section
1143 9-159q. In addition, such officials in each municipality having less than
1144 five thousand electors as ascertained by the report filed with the
1145 Secretary of the State under section 9-238a shall, except as hereinafter
1146 provided, provide for all elections in such municipality at least one
1147 additional voting machine, and such officials in each municipality
1148 having between five thousand and twenty-five thousand electors shall
1149 provide at least two additional voting machines therefor; and such
1150 officials in each municipality having between twenty-five thousand
1151 and fifty thousand electors shall provide at least three additional
1152 voting machines therefor, and such officials in each municipality of
1153 fifty thousand or more such electors shall provide at least four
1154 additional voting machines therefor. In any municipality having less
1155 than five thousand electors, in lieu of such additional voting machine,
1156 the foregoing officials may provide at least one thousand absentee
1157 ballots or a number equal to the number of names on the last-
1158 completed registry list in such municipality, whichever is smaller, for
1159 use as emergency paper ballots under section 9-263; provided in any
1160 such municipality which is divided into political subdivisions and in
1161 which the absentee ballots are not uniform throughout the
1162 municipality, such officials shall provide at least one thousand copies
1163 of such absentee ballots for each such political subdivision in which
1164 ballot labels differ, or a number equal to the number of names on the
1165 last-completed registry list in such political subdivision, whichever is
1166 smaller.] Different voting [machines] tabulators may be provided for
1167 different voting districts in the same municipality. Notwithstanding
1168 any provision of this subsection to the contrary, the registrars of voters
1169 of a municipality may determine the number of voting [machines]
1170 tabulators that shall be provided for use at any special election in such

1171 municipality, provided the registrars shall provide at least one voting
1172 [machine] tabulator in the municipality or, in a municipality divided
1173 into voting districts, at least one voting [machine] tabulator in each
1174 such district.

1175 (b) Upon the purchase or lease of a voting [machine] tabulator for
1176 use in any municipality, the officials of such municipality purchasing
1177 or leasing the same shall forthwith send notification in writing to the
1178 Secretary of the State of the name or make of such [machine] tabulator,
1179 the name of the person who manufactured the same, the name of the
1180 person from whom it was purchased or leased [,] and the date on
1181 which it was purchased or leased, [and its serial number. After
1182 October 1, 1970, no voting machine manufactured prior to January 1,
1183 1927, shall be used at any election in this state and no voting machine
1184 manufactured after said date] No voting tabulator shall be used in an
1185 election [,] which, [voting machine,] in the opinion of the Secretary of
1186 the State, does not conform to the requirements of law or is unsuitable
1187 for use in such election. When in any municipality the use of a voting
1188 [machine] tabulator at elections is discontinued because of its age or
1189 condition or because it is sold, or for any other reason, such officials
1190 shall send written notification to [said secretary] the Secretary of the
1191 discontinuance of such [machine] tabulator, of the time of and reason
1192 for such discontinuance and of the information required in connection
1193 with notification of original purchasing or leasing.

1194 Sec. 35. Section 9-148 of the general statutes is repealed and the
1195 following is substituted in lieu thereof (*Effective October 1, 2007*):

1196 [In municipalities where there are registrars of voters for each
1197 voting district, the] The appointment of [such] absentee ballot counters
1198 shall be made by the registrars of [the first district] voters. [If there is
1199 no district so designated, such appointment shall be made by the
1200 registrars of the district in which the] The presiding officer for the
1201 purpose of declaring the result of the vote of the whole municipality is
1202 the moderator. Each person appointed to count absentee ballots shall
1203 participate in a training session at which the registrars of voters,

1204 [municipal clerk and] absentee moderator or moderator of the polling
 1205 place, as the case may be, shall review and study the absentee
 1206 counter's manual provided by the Secretary of the State under section
 1207 9-150a. Each elector so appointed shall be sworn to carry out faithfully
 1208 the duties of his office and not to attempt to ascertain the manner in
 1209 which any absentee elector has marked his absentee ballot. The
 1210 registrars of voters shall ascertain the voting district in which each
 1211 absentee elector is registered and shall apportion the envelopes
 1212 according to voting districts among the appointed groups of electors, if
 1213 there is more than one such group, in such manner that each group can
 1214 conveniently count the votes apportioned to it.

1215 Sec. 36. Section 9-272 of the general statutes is repealed and the
 1216 following is substituted in lieu thereof (*Effective October 1, 2007*):

1217 If, owing to the number of candidates to be voted upon or owing to
 1218 inability to obtain a sufficient number of voting [machines] tabulators,
 1219 it is found impracticable to use voting [machines] tabulators at any
 1220 election to be held in any municipality, or in one or more of the voting
 1221 districts therein, [the municipal clerk and] the registrars of voters may
 1222 discontinue the use of such [machines] tabulators for such election in
 1223 any of the voting districts therein, and shall thereupon cause ballots to
 1224 be procured and used at such election, as provided by this part, in each
 1225 of the voting districts wherein the use of voting [machines] tabulators
 1226 has been so discontinued.

1227 Sec. 37. Section 9-263 of the general statutes is repealed. (*Effective*
 1228 *October 1, 2007*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-65
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	9-453n
Sec. 4	<i>from passage</i>	9-50b
Sec. 5	<i>from passage</i>	9-452
Sec. 6	<i>from passage</i>	9-453o(b)

Sec. 7	<i>from passage</i>	9-453i(a)
Sec. 8	<i>from passage</i>	9-460
Sec. 9	<i>from passage</i>	3-85
Sec. 10	<i>from passage</i>	9-395
Sec. 11	<i>October 1, 2007</i>	9-249a
Sec. 12	<i>from passage</i>	9-453t
Sec. 13	<i>October 1, 2007</i>	9-232e
Sec. 14	<i>October 1, 2007</i>	9-233
Sec. 15	<i>October 1, 2007</i>	9-250
Sec. 16	<i>October 1, 2007</i>	9-257
Sec. 17	<i>October 1, 2007</i>	9-258
Sec. 18	<i>October 1, 2007</i>	9-258a
Sec. 19	<i>October 1, 2007</i>	9-259
Sec. 20	<i>October 1, 2007</i>	9-261
Sec. 21	<i>October 1, 2007</i>	9-262
Sec. 22	<i>October 1, 2007</i>	9-265
Sec. 23	<i>October 1, 2007</i>	9-266
Sec. 24	<i>October 1, 2007</i>	9-287
Sec. 25	<i>October 1, 2007</i>	9-289
Sec. 26	<i>October 1, 2007</i>	9-290
Sec. 27	<i>October 1, 2007</i>	9-294
Sec. 28	<i>October 1, 2007</i>	9-295
Sec. 29	<i>October 1, 2007</i>	9-296
Sec. 30	<i>October 1, 2007</i>	9-304
Sec. 31	<i>October 1, 2007</i>	9-306
Sec. 32	<i>October 1, 2007</i>	9-310
Sec. 33	<i>October 1, 2007</i>	9-1
Sec. 34	<i>October 1, 2007</i>	9-238
Sec. 35	<i>October 1, 2007</i>	9-148
Sec. 36	<i>October 1, 2007</i>	9-272
Sec. 37	<i>October 1, 2007</i>	Repealer section

Statement of Legislative Commissioners:

Section 2 and section 18 of the substitute bill were combined because they each amended section 9-258 of the general statutes. Throughout sections 17 and 32, the term "machine" was changed to "tabulator" for purposes of consistency.

GAE *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Secretary of the State	GF - Cost	Minimal	Minimal
Secretary of the State; Judicial Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal
Judicial Dept. (Probation); Correction, Dept.	GF - Cost	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 08 \$	FY 09 \$
All Municipalities	STATE MANDATE - Cost	Minimal	Minimal
All Municipalities	STATE MANDATE - Net Cost/Savings	Minimal	Minimal

Explanation

The bill requires registrars of voters to administer paper ballot elections and requires municipalities to cover all of the associated costs. Administrative duties include locating rooms for holding elections and managing booths and ballot boxes. The initial cost to lock and store equipment, such as tabulators, ballots, and privacy booths, may be significant in the event that municipalities have to reconfigure or find additional space.¹

The bill will result in a cost savings to municipalities that hire 2 shifts of election officials to staff polling locations. The bill removes the requirement that both the first and second shifts of election officials

¹ The Secretary of the State will provide all municipalities with equipment purchased with federal, Help America Vote Act funding.

be required to remain until the closing of the polls, and requires only second shift members to remain until closing and all paperwork is complete. Personnel costs will depend on municipalities. Currently, many towns hire only one shift lasting approximately 16 hours. For example, the town of Vernon hires one shift of election officials, totaling approximately \$12,000, while the city of Hartford hires one shift, totaling approximately \$38,000. It is uncertain how many municipalities staff two shifts and could experience savings.

Additional net cost or net savings may result due to changes in the number of election officials and other individuals who may be lawfully present at a polling place during polling hours. Each municipality determines the compensation of each worker, a fee that is estimated to range from approximately \$75 to \$275 per day.

The bill will result in a minimal cost to the Secretary of the State associated with establishing a curriculum, training program, and certification process for polling place observers.

The bill requires town clerks to pay a \$50 late filing fee for not filing all pages of a nominating petition by the time required, resulting in a potential revenue gain to the Secretary of the State.

The bill makes it illegal to tamper with votes in a ballot box at any point after an election by removing the 180 day limit, potentially increasing the occurrence of collecting a fine of not more than \$500, imprisonment, and disenfranchisement. The bill also removes a fine of up to \$500 against candidates who act as a moderator, box tender, or count ballots in a paper ballot election. Any change in revenue from criminal fines imposed under the bill or marginal cost for incarceration and/or probation supervision in the community as a result of the bill would be minimal.

The Out Years

The annualized ongoing fiscal impact identified above would

continue into the future subject to inflation, except the impact on registrars associated with potential reconfiguration of space which would result in one-time costs in the short term. The level of revenues would remain constant into the future since they are set by statute.

OLR Bill Analysis**sSB 1310*****AN ACT CONCERNING TECHNICAL AND PROCEDURAL
CHANGES TO CERTAIN ELECTION LAWS.*****SUMMARY:**

This bill makes changes to state election laws affecting voter registration, nominations and certifications, election officials, and voting methods and election procedures. Among other things it:

1. eliminates certain reporting requirements for registrars of voters due to the centralized voter registration system (CVRIS);
2. establishes earlier deadlines for activities associated with minor and petitioning party candidate nominations and certifications;
3. changes the period of time during which parties may fill vacancies for nominated candidates before an election;
4. changes the numbers of election officials and other individuals who may be lawfully present at a polling place during voting hours;
5. allows a municipality with more than one voting district to hire poll workers who do not reside there; and
6. changes the basis for determining party order on the ballot label, with some exceptions.

The bill generally makes registrars of voters responsible for conducting elections by removing duties from other municipal officials. It also eliminates a requirement for registrars to be stationed at the polling place during polling hours.

The bill makes several procedural changes to reflect the change from (lever) voting machines to (optical scan) voting tabulators. These include adapting election officials' process for examining the voting tabulators before the polls open and canvassing the votes after they close. Similarly, the bill makes technical changes in light of the new voting tabulators. For example, it substitutes "voting tabulator technician" for "voting machine mechanic" and uses "write-in vote" instead of "write-in ballot" because voting tabulators use paper ballots.

The bill allows the secretary of the state to bind engrossed bills after each session of the General Assembly in suitable volumes, rather than requiring her to bind them into one volume. It also requires the secretary to establish a code of ethics for poll workers and authorizes her to establish two training programs: one on ethics and the other on polling-place accessibility for people with disabilities.

It repeals the statute concerning damaged voting machines whereby the registrars of voters either replace such a machine or authorize the use of emergency paper ballots.

Finally, the bill makes several technical and conforming changes.

EFFECTIVE DATE: October 1, 2007 except the provisions addressing the CVRS, polling place observers, late fees for town clerks, nominations and certifications, and suitable volumes for engrossed bills, which are effective upon passage.

VOTER REGISTRATION (§§ 1 AND 4)

The bill changes registrars of voters' reporting requirements with respect to voter registration statistics because of the CVRS. It removes a requirement for them to submit to the secretary of the state the number of total of electors, affiliated electors for each party, and unaffiliated electors on the active and inactive registry lists. Instead, it requires the secretary to issue a report with the same information within one week after the last voter registration session before an election. As under current law, the secretary must omit electors who died and include those who registered to vote since the last-completed

registry list.

The bill also requires registrars to update voter history on the CVRS promptly after each election or primary, indicating whether eligible voters voted and if so, whether in person or by absentee ballot.

NOMINATIONS AND CERTIFICATIONS

Minor and Petitioning Parties (§§ 5-7)

The bill establishes earlier deadlines for activities associated with minor and petitioning party candidate nominations and certifications. It requires minor parties to nominate candidates, and certify and file the list of nominations by the 62nd, rather than the 55th, day before an election. By law, minor parties file nominations for state and multi-town district legislative candidates with the secretary of the state. The bill requires them to also file nominations for single-town district legislative candidates and judges of probate with the secretary, instead of the town clerk.

The bill requires petitioning candidates to submit their nominating petitions to the appropriate town clerk or the secretary of the state by the 98th, rather than the 90th, day before an election. It requires a petitioning party's designating committee to submit an endorsement statement to the secretary by the 62nd, rather than the 55th, day before an election. Likewise, if a candidate is petitioning onto the ballot under a minor party designation, it requires that party's chairperson or secretary to submit its endorsement statement to the secretary of the state by the 62nd, rather than the 55th, day before an election.

Vacancies (§ 8)

The bill changes the period of time during which political parties may fill vacancies for nominated candidates before an election. Under current law, a primary may be held if a candidate withdraws or becomes disqualified to hold office more than 10 days before the election. The bill extends this period to 24 days before an election. The bill requires vacancy nominations to be certified with the secretary of the state or town clerk by the 21st, rather than the 7th, day before the

election. (The law requires state and district office candidates, including all candidates for state senator or state representative, to file with the secretary. Other municipal office candidates file with their town clerk.)

Similarly, under current law, if a candidate dies between 10 days and 24 hours before an election, the party may fill the vacancy. The bill extends this period to between 24 days and 24 hours beforehand. By law, if a candidate dies within 24 hours of an election, his or her name remains on the ballot. If the candidate wins, a vacancy exists in the office and the party fills it in the manner prescribed by law.

Noticing Municipal Candidate Endorsements for Primaries (§ 10)

The bill establishes an earlier deadline for town clerks to notice candidate endorsements for municipal primaries held during state election years (for legislative candidates in single-town districts). Under current law, the deadline for parties to endorse municipal office candidates and town committee members is the same day that petitions are available, the 49th day before the primary, thereby precluding would-be candidates from petitioning onto the ballot.

During any state election year, the bill requires town clerks to notice the candidate endorsements on the 76th day preceding the primary to allow candidates time to circulate petitions. The notice must indicate that party endorsements can be made for the primary and that a list of endorsed candidates will be on file in the clerk's office after that occurs. Current law requires a clerk who does not receive a party endorsement by the specified deadline to publish this information in the notice. Given the earlier schedule, the bill specifies that this requirement does not apply.

Cross-Endorsements (§ 12)

Current law prohibits a nominated major or minor party candidate from appearing on the ballot as a petitioning candidate for the same office. The bill lifts this prohibition under certain circumstances. Under the bill, a party that has not attained minor party status for the

office in question, but has for at least one other office on that ballot, may cross-endorse a nominated major or minor party candidate by petitioning such candidate's name onto the ballot.

ELECTION OFFICIALS

The bill makes changes to the numbers of election officials and other individuals who may be lawfully present at a polling place during voting hours. It accomplishes this by (1) authorizing the secretary of the state to establish a new position (Election Day polling place observers), (2) giving the registrars of voters the option to appoint one or two individuals for certain positions and (3) authorizing registrars to appoint additional election officials.

Polling Place Observers and Additional Election Officials (§ 2)

The bill authorizes the secretary of the state to appoint Election Day polling place observers and requires them to be state electors. The secretary must establish duties, a curriculum, training program, and certification process for the observers.

In addition, the bill authorizes the registrars of voters to appoint additional election officials on Election Day, or any day after, if they both agree it is necessary (1) because a poll worker is unable to serve, (2) to accommodate the public, or (3) to improve the primary's or election's administration.

Table 1 shows the difference between the number of election officials and other individuals who may be present at a polling place under current law and the bill.

TABLE 1: CHANGE TO THE NUMBER OF ELECTION OFFICIALS AND OTHER INDIVIDUALS ALLOWED AT POLLING PLACES

<i>Position</i>	<i>Required Number Under Current Law</i>	<i>Permissible Number Under the Bill</i>
Ballot clerks	2 ⁺	1 or 2
Ballot clerks	N/A	1 or 2
Official checkers*	2	1 or 2
Booth tenders	2	1 or 2
Box tenders	1	1 or 2

Substitute box tenders	1 or 2	none
Election Day polling place observers	N/A	Unspecified
Additional election officials, as needed	N/A	As both registrars deem appropriate
N/A means not applicable. † Applies to paper ballot elections. * Applies when the registrars determine there is a need for an additional line of electors.		

The bill eliminates the requirement that two ballot clerks be from different political parties and it prohibits an election official from appearing at any political party's headquarters before 8:00 p.m. on Election Day.

In addition, the bill allows a municipality with more than one voting district to hire poll workers who do not reside there, as long as they are state electors. It retains the in-town residency requirement for poll workers, other than voting tabulator technicians, in single-town districts.

The bill eliminates the position of voting machine tenders for multi-town districts, but fails to replace them with voting tabulator tenders (see COMMENT). For single-town districts, voting tabulator tenders are responsible for the tabulators.

Registrars of Voters (§§ 14-20, 23-28, and 36)

The bill generally makes registrars of voters responsible for conducting elections by removing several responsibilities from town clerks and, in some cases, other municipal officials or boards of selectmen. For example, it makes the registrars, or assistant registrars, responsible for:

1. disseminating necessary supplies to the moderator the day before an election, including the official checklist and the Moderator's Return;
2. determining if an additional line for electors is needed at a polling place;

3. establishing two shifts of election officials for polling places;
4. authorizing the use of paper ballots in an election when there are insufficient voting tabulators;
5. providing necessary items for a paper ballot election, including (a) the ballot box, lock, and keys; (b) a location and voting booths, and (c) an additional box for voting stubs;
6. receiving the moderators' returns, together with the voting tabulator keys, after the polls close; and
7. ensuring that the voting tabulators remain locked for 14 days following an election unless a court or the State Elections Enforcement Commission orders them open.

The bill eliminates a requirement for registrars to be stationed at the polling place during polling hours. If they are at the polling place, it requires them to (1) be available by telephone and notify all registrars' of voters offices in the state of their phone number, (2) be connected to the CVRS, and (3) have all voter-card files in the polling place for reference. It is unclear whether this requirement applies to both single-town and multi-town districts, or single-town districts only.

The bill also eliminates references to towns that have a pair of registrars for each voting district. It is unclear what the impact of this would be on the towns that have registrars for each district.

Town Clerks (§ 3)

By law, town clerks must file nominating petitions within two weeks after receiving them. The bill establishes a \$50 late fee for town clerks who fail to file these petitions on time with the secretary of the state.

Absentee Ballot Counters and Absentee Moderators (§ 35)

The law requires absentee ballot counters to participate in a training session during which they review the applicable manual by the secretary of the state. For municipalities with both an absentee ballot

moderator and a polling place moderator, the bill specifies that the absentee moderator participates in the training session. It also eliminates a requirement for town clerks to participate.

Training on the Code of Ethics and Accessibility for People with Disabilities (§ 2)

The bill requires the secretary of the state to establish a code of ethics by October 1, 2007 for registrars of voters, Election Day polling place observers, and poll workers. The code must be conspicuously posted in each polling place and in registrars of voters' offices. The bill authorizes the secretary to establish a training program on the code of ethics and another training program on polling-place accessibility for people with disabilities.

VOTING METHODS AND ELECTION PROCEDURES

Ballot Labels (§ 11)

The bill changes the basis for determining party order on the ballot label, with some exceptions. It requires the party with the most enrolled members on the day of the last election to be placed on the top row and other parties to follow, in descending order, according to their enrollment number. It retains the provisions whereby petitioning candidates with and without party designations, respectively, are placed on the bottom rows. Under current law, parties are ordered according to the number of votes their candidate for governor received in the last election.

Voting Tabulators (§§ 14-17, 19-23, 26, 32-34, 36)

The bill makes several technical and procedural changes to reflect the change from (lever) voting machines to (optical scan) voting tabulators. For example, it eliminates provisions requiring:

1. three sets of ballot labels for each voting machine.
2. separate voting booths at primaries where unaffiliated voters are authorized to vote for some, but not all, of the offices and thus cast partial ballots; and

3. a paper roll for write-in votes in a regular election and a depository envelope entitled "Write-in Ballots," since voting tabulators' regular ballots have a space for write-in candidates;

The bill also changes polling place configuration in light of the new voting tabulators. It changes the required number of voting machines (voting tabulators under the bill) for each polling place from one that is based on the number of registered voters to one that the secretary of the state approves. It also (1) eliminates a requirement for railings to separate the voting machines and election officials ("voting area") from the rest of the polling place; (2) stations the ballot clerk's table at least four feet from the voting tabulator, rather than beside the entrance to the voting machine, and makes the officials responsible for electors submitting their ballots properly; and (3) allows more than one elector to be in the voting area at a time (since each polling place has multiple voting booths).

Moderator's Duties (§§ 19, 23, and 32)

The law requires moderators and other election officials to examine the voting machines before the polls open and canvass the votes after they close. With respect to these duties, the bill eliminates most procedures associated with lever voting machines and replaces them with procedures for optical scan voting tabulators. For example, the bill:

1. requires the moderator and the registrars or assistant registrars of voters to examine the number on the seal of the tabulator and indicate on the moderator's return the tabulator's delivery and the number on its seal;
2. requires the moderator and the registrars or assistant registrars of voters to produce a zero tape indicating the counter is set at zero;
3. specifies that the tabulator's seal must remain unbroken but that if it breaks, the registrars of voters must be notified immediately and the tabulator tape must be produced;

4. bans the use of a tabulator if its tape does not show all zeros; and
5. requires the moderator to seal the tabulator after the canvass of the vote, place it in a tabulator bag, and seal the bag;

In addition, the bill increases, from at least two to three, the number of election officials who must meet before opening the polls to examine the numbers on the seal of the tabulator (currently, the number on the voting machine's seal, protective counter, and envelope containing the keys). Under current law, one election official from each of two political parties must be present. Under the bill, the moderator and either the registrars or the assistant registrars must be present.

In addition, the bill reduces from three to one the number of sample ballots and accompanying instructions moderators must post in polling places. Since voting tabulators' regular ballots are paper, it eliminates the requirement for moderators to receive extra paper ballots before an election for use by certain voters with disabilities or if a voting machine is damaged.

Finally, the bill eliminates the requirement for moderators to produce a duplicate return and the reference to a storage compartment for the duplicate at the back of the voting machine. It requires moderators to file their original returns with the registrars of voters, rather than the town clerk.

Voter Instruction (§ 20)

If an individual asks for instruction on how to vote after entering the voting machine, current law requires two election officials from different political parties to provide it while standing outside the machine. The bill lifts the requirement for officials from different parties to provide the instruction. It specifies that an official who provides voter instruction may not look at the ballot in such a way so as to see the markings.

Challenge Procedure (§§ 20 and 26)

The bill allows anyone who is lawfully present at a polling place to

challenge a voter at a primary, election, or referendum in which voting tabulators are used. Under current law, only election officials may do so. The bill does not make the same change to a primary, election, or referendum in which paper ballots are used due to insufficient tabulators.

Challenge Ballot (§ 13)

The bill changes the procedure official checkers must follow when an elector votes by challenge ballot. By law, individuals may vote by challenge ballot when their names appear on the registry list but someone challenges their qualifications to vote.

Under existing law, checkers cross off the voter registry list people voting by challenge ballot and add their names and addresses to the end of the list with the designation “Challenged Ballot” and a serial number. The bill eliminates the requirement for checkers to cross the voter’s name off the list and instead requires them to write in front of it in red ink “CB” (see COMMENT).

The bill also requires challenge ballots to be regular, not absentee, ballots. When a voter casts a challenge ballot, he or she must deliver the envelope containing it to the head moderator. The bill requires the head moderator to file those envelopes with the town clerk and town clerk to retain them until they may be destroyed, which is 180 days after the election by law.

Incapacitated Elector (§ 20)

The bill authorizes the registrars or assistant registrars of voters to bring a ballot to an elector who requests one because he or she has become temporarily incapacitated at the polling place. The registrar or assistant registrar must take the ballot together with a privacy sleeve to the elector and allow that person to mark the ballot, in private, after he or she shows appropriate identification. The elector must place the ballot back in the privacy sleeve. The election officials must indicate on the official voter list that the elector voted, deliver the privacy sleeve to the voting tabulator, and insert the ballot. The bill requires

the moderator to keep a record of the incident in his or her diary.

Paper Ballot Elections (§§ 24-30)

In addition to making the registrars of voters, not the board of selectmen, responsible for an election that uses paper ballots because of insufficient voting tabulators, the bill specifies that the municipality must cover associated costs including the room, booths, ballot boxes, and their locks and keys. It makes it illegal to tamper with votes in the ballot box at any point after such an election, not only for 180 days. By law, a person who is guilty of tampering with such votes is subject to a penalty of up to \$500, between six months and two years imprisonment, and disenfranchisement. The bill also removes a \$500 maximum penalty against a candidate who acts as a moderator or box tender, or count ballots, in an election when paper ballots are used.

Two Shifts of Election Officials (§ 18)

If the registrars or assistant registrars establish a second shift of election officials, the bill specifies that all of the second shifts' members, but none of the first's, must remain until the polls close and the paperwork is complete. Current law requires the members of both shifts who sign returns at the end of the night to remain.

BACKGROUND

Related Bill

sSB 1312, favorably reported by the Government Administration and Elections Committee, expands registrars of voters' duties by making them responsible for determining polling places and hiring poll workers, among other things, and makes technical changes to reflect the change from voting machines to voting tabulators.

COMMENT

Voting Tabulator Tenders for Multi-Town Districts

Section 17 eliminates voting machine tenders (voting tabulator tenders, under the bill) as the election officials responsible for voting tabulators in multi-town districts. It appears to make ballot clerks responsible for the tabulators. Later, the same section references

voting tabulator tenders, but only when an additional tabulator is needed. Under the bill, voting tabulator tenders and ballot clerks are two distinct positions and both are required. There is no conflict with regard to single-town districts.

Voting By Challenge Ballot

The bill deletes the requirement for the notation of the envelope's serial number on the voter registry list next to the name of a person who has voted using a challenge ballot. Election officials must be able to identify such a person's ballot envelope after they have determined whether to count the ballot in the case of a contested election (CGS § 9-232f).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 0 (03/30/2007)